

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,) Arizona Supreme Court
) No. CR-85-0211-AP/PC
 Appellee,)
) Maricopa County
 v.) Superior Court
) No. CR-140790
DONALD EDWARD BEATY,)
) FILED 02/04/2010
 Appellant.)
_____) **O R D E R**

The State has filed a Motion for Warrant of Execution. Subsequently, Donald Beaty filed a petition for post-conviction relief challenging the constitutionality of Arizona's lethal injection protocol. In light of the pending post-conviction relief petition,

IT IS ORDERED that the Motion for Warrant of Execution is denied.

DATED this _____ day of February, 2010.

REBECCA WHITE BERCH
Chief Justice

TO:

John Pressley Todd, Assistant Attorney General
Sarah E Stone, Federal Public Defender's Office, Phoenix Office
Sylvia J Lett, Federal Public Defender's Office, Tucson Office
Donald Edward Beaty, ADOC #054558, Arizona State Prison, Florence
Carson McWilliams, Warden of Florence, Arizona State Prison
Charles Ryan, Director, Arizona Department of Corrections
Andrew P Thomas, County Attorney, Maricopa County Attorney's Office
Hon Barbara R Mundell, Presiding Judge, Maricopa County Superior
Court
Hon Gary E Donahoe, Criminal Presiding Judge, Maricopa County
Superior Court
Hon Rufus C Coulter Jr
Michael K Jeanes, Clerk, Maricopa County Superior Court
Duane Belcher Sr, Director, Arizona Board of Executive Clemency
William K Suter, Clerk, United States Supreme Court
Molly Dwyer, Clerk, United States Court of Appeals for Ninth Circuit
Mr. Richard H Weare, Clerk, US District Court for the District of
Arizona
John M Roll, Chief Judge, US District Court for the District of
Arizona, Tucson
Hon Cindy Kelly Jorgenson, Judge, US District Court for the District
of Arizona
Hon Mary H Murguia, US District Court for the District of Arizona
Owen L McGeehon, Capital Case Staff Attorney, US District Court for
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Kristine M Fox, Capital Case Staff Attorney, US District Court for
the District of Arizona, (Tucson)
Joseph A Kanefield, Office of the Governor
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Anne Marreel, Arizona Attorney General's Office, Victims Services
Division
Amy Sara Armstrong, Arizona Capital Representation Project
Diane Alessi, Capital Case Staff Attorney, Arizona Death Penalty
Judicial Assistance Program
Dale A Baich, Federal Public Defender's Office